

REMARKS

Claims 1, 3, 5, 6 and 9-17 are presented for consideration, with Claims 1 and 14-17 being independent.

The independent claims have been amended to further distinguish Applicants' invention from the cited art. Claims 4, 7 and 8 have been cancelled.

Claims 1-17 stand rejected under 35 U.S.C. §103 as allegedly being obvious over Wehmeyer 247 in view of Gagnon '342. This rejection is respectfully traversed.

Claim 1 of Applicants' invention relates to an image processing apparatus comprised of an image input unit for inputting an image signal, a menu generation unit for generating a menu image signal representing an operation menu relating to processing of the image signal and having a plurality of menu portions at different hierarchal levels each including at least one menu item, and generating a registration menu image signal representing a registration menu having a plurality of items corresponding to a plurality of function keys of an operating device. As amended, Claim 1 includes a display control unit for displaying, on a same display screen of a display device, an image corresponding to the image signal output from the image input unit, and the operating menu corresponding to the menu image signal generated by the menu generation unit, wherein the menu portions at each hierarchical level are displayed stepwise according to a selecting operation by an operating device for the menu items. In addition, an instruction input unit receives an instruction from the operating device and a selection unit selects a desired item in the operation menu displayed on the display screen, and an assignment unit assigns, according to predetermined operation by the operating device, a function

according to one set of items selected by the selection unit at each hierarchical level in the operation menu to one of the plurality of function keys with one to one correspondence between a plurality of functions according to a plurality of sets of items and the plurality of function keys.

Support for the claimed amendments can be found, for example, on page 9, line 17, *et. seq.*, of the specification. In accordance with Applicants' invention, a high performance image processing apparatus can be provided.

As discussed in the previous Amendment of November 22, 2005, Wehmeyer relates to a television remote and to menu generation circuitry within the remote. As shown in Figure 4, a fetch key 411 is provided on a remote control unit 400. By pressing the fetch key, "virtual buttons" are then shown in a fetch menu on the remote to be operated by the user. The fetch menu can be customize by the user or preprogrammed. The Office Action asserts that Wehmeyer includes each of the elements set forth in Claim 1, but fails to provide assigning a function according to a selected item "at a lowest hierarchical level" in the operation menu to one of a plurality of function keys "with one to one correspondence between the plurality of functions and the plurality of function keys" (see page 4, last paragraph, of Office Action).

The secondary citation to Gagnon relates to a computer based graphical user interface and was cited to compensate for the deficiencies in Wehmeyer. In Gagnon, a main menu page 140 provides graphical buttons that can be selected to launch selected services. The Office Action asserts that Gagnon teaches that it is desirable to assign keys on a remote control to actuate functions that correspond one to one with the menu items at a lowest hierarchical level, relying on Figures 14-16.

Gagnon is not read to teach or suggest, however, displaying on the same display screen of a display device, an image and an operation menu, with the menu portions at each hierarchical level being displayed stepwise according to a selecting operation by an operating device for the main menu. Furthermore, Gagnon is not understood to teach or suggest assigning a function according to one set of selected items at each hierarchical level in the operation menu to one of the plurality of function keys with one to one correspondence between a plurality of functions according to a plurality of sets of items and the plurality of function keys.

Accordingly, without conceding the propriety of combining Wehmeyer and Gagnon in the manner proposed in the Office Action, such a combination still fails to teach or suggest Claim 1 of Applicants' invention. Claims 14-17 have been amended to include similar features added to Claim 1. These claims are thus also submitted to be patentable over the cited art.

Therefore, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103 is respectfully requested.

Accordingly, it is submitted that Applicants' invention as set forth in independent Claims 1 and 14-17 is patentable. In addition, dependent Claims 3, 5, 6 and 9-13 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

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Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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